



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ABDIQAFAR WAGAFE, et al.,

Plaintiffs,

v.

JOSEPH R. BIDEN, President of the United States, et al.,

Defendants.

No. 2:17-cv-00094-LK

**DECLARATION OF
MUHAMMAD ZAHID CHAUDHRY,
CLASS ACTION LAWSUIT MEMBER**

IN RESPONSE TO BLATANT LIES OF
“DEFENDANTS’ STATUS REPORT ON
PROGRESS FOR COMPLETING POLICY
REVIEW OF CARRP BY MAY 10, 2022”

I, Muhammad Zahid Chaudhry, an Honorable Decorated, Disabled American Veteran in a wheelchair, a Legal Permanent Resident for over 21 years, unschooled in law, declare the following to be true and correct, and present this declaration as an affirmative and truthful record of the discriminatory and unlawful CARRP/Extreme Vetting policy/program’s violent impacts, irreparable harms, and theft of over 21 years of my life and opportunities. I also challenge defendants’ assertions of honest compliance with this honorable court. Here is my Declaration:

1. After a series of family visits over years, I came to visit the United States again in the year 2000. I have never entered this country illegally. I fell in love and married Ann

Chaudhry, a native-born American citizen, in January 2001. I filed the papers for Adjustment of Status to Legal Permanent Resident in February 2001.

2. My application was approved, and I became a Legal Permanent Resident of the United States in April of 2001. I enlisted in the US military and served honorably in the US Army until injuries sustained in the service of our Country led to an honorable discharge in 2005. Among other injuries, back was broken, my neck was severely injured, and I will be in a wheelchair for the rest of my life. I still suffer from severe and debilitating back pain, prostrating migraines, light and noise sensitivity, traumatic brain injury, and PTSD/nightmares, among other medical challenges.
3. During my time in the US military, I served with distinction. I received several awards and performed multiple, overlapping, high-demand duties to ensure my soldiers were well cared for. I was repeatedly told that my above and beyond service would be rewarded and that I had earned additional medals, awards, ribbons, etc. to those I already had achieved and received.
4. I have always served my community with a selfless heart. I served as a volunteer firefighter with the Yakima Fire Department from 2001 until the military injuries. I also volunteered with the American Red Cross, worked as an EMT, and have been involved in countless community efforts both before and in the over 16 years since my injuries, including youth empowerment, senior care, affordable housing, home renovation and property improvement, local politics, community media, public gardening, refugee resettlement, blood donation, Veteran suicide prevention, charitable fundraisers, etc.
5. My website, www.keepzahidhome.org, contains over seventy letters of endorsement for Citizenship from all aspects of life (including my military service), as well as elected

leaders, including US Senators and Congress-members from both parties (<https://keepzahidhome.org/endorsements/>).

6. I have applied for citizenship based on qualifying US military service over half a dozen times. Unaccountable USCIS agents have found excuse after excuse to delay, defer, and dissemble rather than process the citizenship to which I am entitled and which I have duly earned. More than once, I have been told that (INS/)USCIS *lost* my application – but they cashed the checks I mailed with those applications to pay the naturalization fees!
7. I am statutorily qualified to be naturalized. At least 3 of the ways I meet statutory eligibility are below – there are others.
 - a. My **US military service**, which is the basis for the naturalization applications I have submitted. I served honorably and with distinction, and was medically discharged with a rating of Honorable and with retirement pay, after sustaining injuries that nearly killed me in the service of this, the country I love and have chosen to call home – the United States of America – and have sacrificed body, blood, heart, and spirit for. Honorable Service statutorily qualifies me for *expedited* citizenship, which – almost twenty years later – has not been forthcoming.
 - b. My family with and **marriage** to Ann Chaudhry, née MacKenzie, who is a natural-born US citizen. As of this writing, we have been lovingly married for over 21 years. In my marriage to Ann, I gained two natural-born American children, and an extended natural-born American family comprised of mother-in-law and father-in-law (both now deceased and greatly missed), sisters- and brothers-in-law, many numerous nieces and nephews, and five grandchildren. We have deep family roots and wonderful memories!

c. My uncle, A.D. Choudary, a world-class and internationally renowned Scientist, Researcher & Professor, was invited by the US Government for scientific research in the 1980's, and who has emeritus status at a prestigious Washington university. He is a naturalized citizen and I qualify for family sponsorship based on my family roots with him.

i. My mother and father became Legal Permanent US residents in 2014.

8. According to the Administrative Procedures Act (APA), those who are statutorily qualified to naturalize in the US must be granted citizenship. There is no legal or constitutional leeway for agent, or agency, discretion, let alone delay and denial.

9. I have never in my life hurt anyone. I have never broken any law in the US. My record doesn't show so much as a parking or speeding ticket. I have always entered the United States lawfully and in good faith.

10. My family and I have suffered *twenty years* of time-murdering delay, denial, deferment, and threats to my continued life here in the US, as USCIS continues making up reasons to delay/deny my rightfully earned US citizenship. My lost opportunities are huge, as are the losses to America of contributions that I could have made in the past twenty years, if I'd only had the stability, respect, dignity, and assurance that my chosen country recognizes my dedication to this country and respects and welcomes my presence. Instead, I've spent enormous amounts of time, energy, focus (not to mention enormous, extraordinary financial burdens and huge lost opportunity costs), and community goodwill fighting the government's twisted assertions, unconstitutional delays, and unjust, bigoted attempts to deport me. My family and I have fought these battles with our right to remain in our established home, with our family and friends and community and free to determine the

course of our own lives, under constant threats and harassment, and while coping with the years-long, exhausting, and painful medical aftermath of my US military service. No one on USCIS's payroll has dealt with anything close to what they themselves have put me through, nor have any of their families experienced the long-term stress, fear, threats, and bullying as our family has been forced and subjected to. No one at USCIS has apologized to me, and no one in power has made it right.

11. Defendants in this case assert that they have identified over seventy (70) applications for naturalization that have been denied when they should have been held, and are in discussion with Plaintiffs' counsel as to appropriate remedies. If my case is among the 70 (or so) thus far identified, I have not been notified – and if it is *not* among them, the Court should see that as cause for **serious doubt** as to the integrity, reliability, and/or effectiveness of Defendants' screening procedures. In either case, for the record, I hereby state unequivocally that the forms of redress I consider most appropriate in my case are:

- a. The complete removal of the CARRP program (and its variants, as it appears to be constantly morphing into Extreme Vetting), with no further policies to be enacted based on the same flawed, discriminatory, illegal, and unconstitutional premises and data sources. Congress is the only body with the power to make immigration law; *they* should do so, not an unaccountable bureaucratic agency.
 - i. In fact, between 2005 and 2007, USCIS lobbied Congress over 11 times to retroactively authorize them (USCIS) to enact the (unconstitutional, discriminatory, and unaccountable) CARRP "plan." Congress rejected the changes every time !!! Yet, USCIS still deliberately circumvented Congress's right and power to make law.

- b. **Expedited processing** of all 50,000+ applications that have been held up under CARRP – that's 50,000 families affected, 50,000 (and more) lives and futures placed on hold and under threat based on flawed and unreliable data, 50,000 aspiring Americans who have been prevented from fully contributing to their chosen country – most of whom, like myself, have faced injustice, uncertainty, and high costs in money, time, energy, stability, and family attention due to these delays. All deserve **compensation** as well as awarding of their appropriately earned status.
- c. The (long, long delayed) formal recognition of my rightful and earned naturalized US Citizenship, and just compensation for almost 21 years of delay.

- 12.** I am an Honorable, decorated, disabled American veteran, with an American wife and family and decades of selfless contribution to this country and my communities here. I have every reason to believe that I am a victim of CARRP. If I am one, who else is the United States missing? As Americans, how can we make our country whole?
- 13.** USCIS, in their Bigotry, Racism & Islamophobia, may conveniently invent that an aspiring American is a “national security threat.” But its many years’ long delay of adjudication of those applications runs completely counter to the presence of an actual security concern – after all, if an applicant has been determined to be a genuine national security concern, for the safety of the United States, there should be no delay what-so-ever in the removal of such applicant. However, USCIS delaying actions (or worse, ‘shelving’ applications) for years, up to decades, proves that labeling an applicant a ‘national security concern’ is completely FALSE – and when done en masse, based on overbroad gener-

alizations (such as Country of Origin, Race, Religion) and, often, immutable characteristics, flagrantly violates due process and equality under the law.

14. Only the US Congress can make immigration laws. If an applicant is statutorily eligible and extraordinarily qualified, yet has been delayed and denied for over two decades based on Race, perceived Religion, and Country of Origin, and unjustly labeled a National Security concern (a completely and singularly USCIS invented definition), what does that demonstrate but the most blatant prejudice and illegal, immoral, and unconstitutional discrimination? Over and over again it has been proven that USCIS has circumvented the right of Congress to enact immigration law/s. The US Government has reported to this honorable Court that it is working through the applications of potential citizens affected by CARRP, but they have taken no action to remedy their violence and oppression on me, my family and Community, and I am an exemplary case. Are they pulling the wool over the eyes of Justice and (pre-meditatedly) distracting this Honorable Court with empty promises for many years or decades to come (continuing to *not* fulfill their duties and process these applications while wasting/frauding/abusing astonishing amounts of taxpayer money and waiting for the political winds to change), rather than taking the actions (Naturalize, Apologize, ask/seek forgiveness, prevent from ever happening again, and pay Reparations) that honor, integrity and honesty require from USCIS and its enablers?

15. Which Defendant (or their loved one? Or their well-paid, taxpayer-funded attorney??) would like to trade places with me? Who would like to have over 20 of the best years of their life stolen from them? Over 20 years stolen from their family and community, suffering huge costs both directly and due to lost opportunities?? In our country, we pledge

to do our best to live up to the core principles of equality and equal justice under the law, don't we? We should not allow the principle of justice to be eroded beneath us by permitting, or turning a blind eye to, unaccountable government departments enacting and enforcing different Laws, rules, and policies for Muslims (bases on Race, Religion, Place of Origin). CARRP (which the ACLU calls "Muslims Need Not Apply" (for citizenship) policy, a moniker which has become known around the world), and related Extreme Vetting Policies, etc, is a **disgrace** to the principles of America that I broke my body in service to. Again, who would trade places with me? and lose the best 21 years of their life, or their loved one's life, to this infuriating, dishonorable, and costly discrimination, this theft of peace, opportunity, and justice – all while attempting to heal in body and soul, and contribute to a community and country of peace and justice for all? Would you?

It is my hope that this Honorable Court will elect to uphold the Golden Rule, and do unto others – myself and my fellow class-action members, aspiring Americans all – as you would wish to have done unto you.

Respectfully submitted,



s/ Muhammad Zahid Chaudhry
2420 Angela St SE
Lacey, WA 98503

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Here is information that constitutes the mere tip of the iceberg, firsthand examples of USCIS, ICE, and other Officials who were active in my case, and were personally & professionally involved in persecuting me. Please read the Exhibits / news articles below about these "Officials"

committing perjury, lying to Courts, committing frauds for which they have been convicted, and enacting discriminatory atrocities against me, my family & my broader community.

Exhibit A: Seattle Deputy Chief ICE Attorney Jonathan Love articles:

A-1: Slate.com article: "This Case Is About A Lie" ICE attorney forged a document to deport an immigrant. ICE didn't care until the immigrant sued.

A-2: USCIS Seattle, WA Professional Responsibility article: ICE attorney sentenced to prison for falsifying document in immigration case.

A-3: The Seattle Times article: Former Seattle immigration (attorney) gets 30 days for forging document.

Exhibit B: Former Seattle Chief ICE attorney Raphael Sanchez articles:

B-1: Fox News: article Sanchez used Picture of a Murder Victim as (Driver's) License Photo.

B-2: NPR article: Raphael A. Sanchez, who was chief counsel(attorney) at the US Immigration and Customs Enforcement (ICE) office in Seattle when he opened credit cards and took out loans using the personal information of vulnerable immigrants, has been sentenced to four years in prison.

B-3: Seattle PI article: Top Seattle ICE attorney admits to defrauding immigrants.

B-4: Reuters article: Former ICE Chief [attorney] Gets 4 years in Prison For Stealing Immigrants' Identities.

Exhibit C: Gary Belles (Lt. In Yakima Police Department) articles:

C-1: Yakima Herald Republic article: Key Figure in Ramos Case Accused of Disparaging Hispanics, Japanese.

C-2: Yakima Herald Republic article: Hispanic Group Still Pushing City to Take Action Against Police Supervisor for Disparaging Remarks.

M. Chaudhry
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COVER PAGE FOR EXHIBITS

Exhibit A Former Seattle Deputy Chief ICE attorney Jonathan Love news articles

Exhibit B Former Seattle Chief ICE attorney Raphael A Sanchez news articles

Exhibit C Yakima Police Department Lt. Gary Belles news articles

Slate.com
Jurisprudence

“This Case Is About a Lie”

**An ICE attorney forged a document to deport an immigrant.
ICE didn’t care until the immigrant sued.**

By Mark Joseph Stern
Aug 16, 2018 6:58 PM

An Immigration and Customs Enforcement special agent prepares to arrest alleged immigration violators at Fresh Mark in Salem, Ohio on June 19. Smith Collection/Gado/Getty Images



Ignacio Lanuza had every reason to believe he'd earned the right to live in the United States. An undocumented immigrant from Mexico, Lanuza had worked in masonry and construction since entering the country in 1996. He married a U.S. citizen and had two children, both citizens. In May 2009, Lanuza petitioned an immigration judge to become a lawful resident.

Because he had a family, more than 10 years of residence, and no criminal record, he should have qualified for legal status. But at his hearing, an Immigrations and Customs Enforcement attorney produced startling evidence against him: a form signed by Lanuza accepting voluntary departure to Mexico, dated January 2000. By signing this document, the lawyer explained, Lanuza had rendered himself ineligible for legal residence. The judge agreed and ordered him deported.

There was one problem: The form was a forgery. Jonathan M. Love, the ICE attorney, had fabricated it for the specific purpose of securing Lanuza's deportation. Aided by a new lawyer, Lanuza was able to confirm the fraud in 2012 and received lawful resident status in 2014. Now he is seeking more complete restitution, suing Love for violating his due process rights. Thanks to the Supreme Court's conservative justices, it is extremely difficult to sue a federal agent for damages. But on Tuesday, a federal appeals court allowed Lanuza's suit to move forward in a forceful opinion decrying the “egregious constitutional violation” at issue.

This victory may embolden other victims of ICE to hold their abusers accountable in court. Yet it is also a reminder that ICE did not become monstrous under Donald Trump. It is an agency that's

rotten to its core, and it committed some of its most shocking malfeasance under the oversight of a Democratic Congress and president. Supporting the abolition of ICE is not just about opposing Trump: It is about taking on a rogue agency that defies the law no matter who is in charge.

By Love's own admission, the ICE attorney had no motive to sabotage Lanuza other than sheer malice and a desire to win the case. "Why did I do this?" Love wrote in a letter to the judge who sentenced him to 30 days in jail in 2016. "If I truly knew, I would not be standing here in front of you. ... It was stupid and unnecessary, and the consequences of my actions have tarnished my hard work and dedication to public service for the last 30 years."

The "Department of Homeland Security" document (right) was "erased, deleted, and/or text overlaid and forged by ICE attorney Jonathan Love – (before Department of Homeland Security or the form existed !)

U.S. Department of Homeland Security Notificación de Derechos y Solicitud de Resolución Document ID : 374891531 Street Name : Página 1 Expediente No: A814-712-A22	Notificación de Derechos y Solicitud de Resolución Document ID : 374891531 Street Name : Página 1 Expediente No: A814-712-A22
NOTIFICACIÓN DE DERECHOS	
<p>Usted ha sido detenido porque los oficiales de Inmigración opinan que se encuentra en los Estados Unidos ilegalmente. Tiene derecho a una audiencia ante el Tribunal de Inmigración, con el fin de decidir si puede permanecer en los Estados Unidos. En el caso de que Usted solicite esta audiencia, pueden quedar detenidos o tener derechos a la libertad bajo fianza hasta la fecha de la audiencia. Tiene la opción de solicitar el regreso a su país si la situación permite, sin celebrar la audiencia.</p> <p>Usted tiene derecho a comunicarse con un abogado u otro representante legal para que lo represente en la audiencia, o para responder a cualquier pregunta acerca de sus derechos conforme a la ley en los Estados Unidos. Si Usted lo pide, a funcionarios que le hayan entregado esta Notificación le dará una lista de las asociaciones judiciales que podrían representarlo gratuitamente o a poco costo. Tiene derecho a comunicarse con el servicio consular o diplomático de su país, o a usar el teléfono para llamar a un abogado, o a otro representante legal, o a un funcionario consular en cualquier momento anterior a su salida de los Estados Unidos.</p>	
SOLICITUD DE RESOLUCIÓN	
<p><input type="checkbox"/> Solicito una audiencia ante el Tribunal de Inmigración que resuelve si puedo o no permanecer en los Estados Unidos.</p> <p><input type="checkbox"/> Considero que estaría en peligro si regreso a mi país. Mi caso se tratará en el Tribunal de Inmigración para la celebración de una audiencia.</p> <p><input checked="" type="checkbox"/> Admito que estoy ilegalmente en los Estados Unidos, y no considero que estaría en peligro si regreso a mi país. Renuncio a mi derecho a una audiencia ante el Tribunal de Inmigración. Deberé regresar a mi país en cuanto se pueda disponer mi salida. Entiendo que podré permanecer detenido hasta mi salida.</p>	
 Jonathan Love Lawyer	/-13-00 Fecha
CERTIFICATION OF SERVICE	
<p><input type="checkbox"/> Notar read by subject <input checked="" type="checkbox"/> Notar read to subject by <u>374891531</u> in the <u>Spanish</u> language.</p>	
 Muhammad Zahid Chaudhry Signature of Attorney	Name of Interpreter/Translator <u>1-13-00</u> Date and Type of Service

Love does not appear to have put a great deal of thought into his plan. The document he forged, known as an I-826 form, was dated Jan. 13, 2000, and made reference to the Department of Homeland Security. Yet **DHS did not exist in 2000; it was created in 2003 in response to 9/11**.

Lanuza knew he had not agreed to be deported in 2000. ("Nobody ever read to me or gave me any copy of the [document]," he insisted.) But his lawyer at the time did not notice that the I-826

form was fraudulent, and the immigration judge accepted its validity. Lanuza attempted to subpoena the immigration agents who had allegedly asked him to sign the form, but the judge denied his request. Instead, he ordered Lanuza removed on the basis of the forged form, a decision affirmed by the Board of Immigration Appeals.

It was not until Lanuza obtained new counsel—the Seattle firm Dobrin & Han [at what cost??]—that anyone carefully scrutinized the document. Hilary Han, his lawyer, sent it to a forensic document examiner, who noticed the DHS discrepancy as well as a host of irregularities. He concluded that Love had used a real DHS document as his template, **then used “erasure, deletion or overlay of text” to conceal its original content**. Mismatched handwriting, a suspect signature, and the use of white-out to obscure key information all pointed toward manipulation, as well.

In February 2012, Lanuza took this evidence to the Board of Immigration Appeals. The board reopened his case, citing the “seriousness and particularity of the allegations.” and directed the immigration judge to conduct a full hearing. In January 2014, nearly five years after Lanuza was condemned to deportation, the judge made him a lawful permanent resident.

Ten months later, with the help of the Northwest Immigrant Rights Project, Lanuza filed his lawsuit against Love. The suit finally spurred ICE’s Office of Professional Responsibility to investigate Lanuza’s allegations, which found them credible. **In January 2016, prosecutors took action against Love, charging him with deprivation of constitutional rights under color of law.** In addition to serving 30 days in jail, he agreed to stop practicing law for 10 years and paid Lanuza \$12,000.

It is galling, though not surprising, that ICE did not investigate Love for more than a year and a half after Lanuza initially pointed out the forgery. ICE must have known about the evidence when Lanuza’s attorney asked that the case be reopened. But the agency apparently did not see fit to immediately alert federal prosecutors that one of its lawyers had broken the law.

Had Lanuza not filed suit, ICE might never have investigated Love at all. In May, when a **federal judge found that ICE officers had fabricated evidence in a different deportation case,** he condemned ICE attorneys for endorsing agents’ blatant falsehoods in court. The Lanuza case represents another example of ICE employees—both law enforcement officers and lawyers—covering each other’s tracks.

Lanuza’s lawsuit was placed on hold during Love’s prosecution, and it has since dragged on due to Love’s status as a federal agent. While victims of federal misconduct can, in theory, seek damages for their suffering, the Supreme Court has made these suits increasingly difficult to win. In 2015, a federal court tossed out the bulk of Lanuza’s suit. He appealed the decision to the Ninth U.S. Circuit Court of Appeals, which reinstated his suit on Tuesday. The court

EXHIBIT A1

acknowledged that civil actions against federal agents are “disfavored” but held that Lanuza’s case constitutes “a proper use of our judicial power.”

“At its core,” the court concluded, “**this case is about a lie, and all the ways it was used, over several years, to defraud the courts.** Government attorneys are given great power, and with that power comes great responsibility.” **Love exploited his responsibilities to torment an immigrant.** The Constitution gives his victim the right to seek recompense in the courts.

Throughout its opinion, the court stressed that its holding was limited to these “narrow” and “egregious” facts—**malicious fabrication of evidence by an officer of the federal government.** ICE has been caught concocting false evidence before, but not many of its targets will be able to meet this high bar of proving that agents falsified evidence against them. At best, Lanuza’s procedural victory this week could inspire more immigrants to come forward with claims of ICE’s lawlessness. Few may triumph, but at minimum, they will help Americans grasp the corruption at every level of the agency.

That corruption is, sadly, bipartisan. Lanuza’s ordeal occurred during Obama’s tenure, as the president foolishly turned ICE into a vicious deportation machine. **The agency waited for years before punishing Love despite ample evidence that he had engaged in criminal conduct.**

Love’s fraud is a symptom of a deeper illness. Calls on the left to abolish ICE do not simply reflect knee-jerk opposition to Trump. They indicate a growing understanding that the agency’s relentless deportation drive is antithetical to justice.

Note:

This article demonstrates that immigration court judges, Immigration Board panel members, and even Circuit Court judges are likely to accept the government attorney’s word as absolute truth – and that there is long demonstrated history of outright lies, forgery, falsification, and fraud (and the strong likelihood of prejudice, personal bias, discrimination and BIGOTRY) on the part of these INS/USCIS officials – even senior ICE attorneys, such as Mr. Love. Immigration applicants face a massively disproportionate uphill battle involving financial burden, time and stress, family separation, and threat of deportation as they work to prove their innocence against these lies and the inclination of the US government to believe them.

ICE did not see fit to immediately alert federal prosecutors that one of its attorneys had broken the law; it took several years. ICE has been caught concocting false evidence before; in the same year (2018), a federal judge found that ICE officers had fabricated evidence in a different deportation case. Now it’s come to light that at least one highly-placed ICE attorney (*who was also involved in prosecuting Mr. Chaudhry’s case*) deliberately targeted high credit worthy immigrants for unfounded deportation and steal their identities for personal financial gain. How many situations of fraud and deceit, *on the side of the US Government*, don’t get found – or are ignored, as in Mr. Lanuza’s case? How many aspiring Americans have been irreparably harmed,

EXHIBIT A1

families torn apart and deported *for no fault of their own*? How much has the United States lost in potential contributions from these aspiring Americans?

This article also outlines how incredibly “9/11” has dominated our collective narrative, indoctrinated our sense of bias/fairness, and informed our daily senses. We forget that there used to be a very different life prior to 9/11, prior to the creation of the Department of Homeland Security – times of greater tolerance of those who seek our shores to raise their families, create businesses, buy property, and pay property taxes (which support our economy) have existed in our lifetimes, and could exist again.

Of course, most immigration applicants are unable to financially sustain the burden required to defend themselves (multiple levels of costly court hearings, soliciting expert testimony and involvement, changes in representation, etc.) and are likely to be deported before any true justice can be rendered. The form Mr. Lanuza was alleged to have signed in 2000 did not come into existence until 2003, and was created as a direct result of 9/11. Mr. Love falsified and forged the form – erasing content, overlaying text, forging handwriting, and more – but the fraud wasn’t discovered until a forensic expert examiner was engaged. That does not come free of charge! Additional costs to Mr. Lanuza, and other affected immigrants, include the loss of work time (including job loss – there goes their financial self-reliance – is that outcome part of the game plan of INS/USCIS/ICE officials gone rogue, seeking to ensure their crimes do not come to light?), the stress, anxiety, nightmares, separation from family, and much more. Immigrants in deportation facilities are often moved repeatedly, often far away from their initial incarceration, causing more stress and hardship on them and their families, and making it very difficult even to stay in contact with their legal representation.

By comparison, ICE attorneys are *paid* extremely well to pursue these cases – their livelihood derives from fighting against people who are handicapped in every possible way as they try to fight back. What incentive do ICE attorneys have to seek truth and serve justice? Personal ethics is a notoriously weak foundation for effectively running a judicial system. Is it any wonder corruption emerges in such an imbalance of power?

In these situations of abusive injustice, the immigrant is not the only victim – We the People are also defrauded, as these crimes take place in our country’s name and with our money. (Don’t we pay the salaries of these attorneys, USCIS/ICE officers and judges with our tax dollars?) It is our “homeland” these attorneys are appointed to defend, our laws they are tasked with enforcing, and our economy they supposedly protect - despite the immeasurable, real, historic, and ongoing economic contributions of immigrants to America. And it is American principles – of justice, integrity, freedom, and due process – that they are charged with upholding. For shame.

This former ICE Deputy Chief attorney’s fraud is yet another symptom of a deeper illness. The agency waited for years before ‘punishing’ Love despite ample evidence that he had engaged in criminal conduct. The loss of a few thousand bucks, not being able to practice law for a mere 10 years, losing his job – these are a slap on the wrist, a drop in the bucket compared to what Mr.

EXHIBIT A1

Lanuza went through defending himself against Love's lie. Where is the restitution for the rest of Mr. Love's victims? Do we even know who they are? Is Mr. Chaudhry also a victim?

This same attorney, Jonathan Love, has had years of deep, personal, and intense involvement and participation in Mr. Chaudhry's hearings/case. This raises obvious questions about the possibility of similar lies and fraud in Chaudhry's hearings/case, which may so far have gone undiscovered – questions which every official has a duty to consider. If it was a murder/manslaughter matter then the USCIS's case would be permanent lost cause, due to being tainted by Mr. Love's involvement, yet Mr. Chaudhry has committed no crime. ICE's corrupt attorney personally brought the government's suit against Mr. Chaudhry – therefore this case must be re-evaluated in the context of Mr. Love's proven lawbreaking behaviors and patterns as an ICE lawyer and DHS employee.

Additional Note:

Petitioner in this case, a decorated US Army veteran with a family in this country and decades of service to his community, has a minor infraction on record in Australia from the 1990s that resulted in a suspended judgment and no punishment, in a situation in which Mr. Chaudhry himself was the only victim. According to US immigration policies, such a foreign misdemeanor charge should be entirely inadmissible after **five years**, however, it's been **twenty-five years**. Even so – if the United States of America faces this much corruption and dishonesty (Mr. Love's) in its own court systems, would it be surprising if Australia's legal system harbored similar flaws? Applicant adamantly asserts that he faced racial prejudice in Australia's courts, including receiving no justice for repeated fare evasions and violent assaults. There were blatant violations of justice wherein those of his taxi passengers refused to pay their fare and beat him bloody – different people, all white, on multiple occasions – were let off scot-free, while he suffered serious injuries, lost his rightful pay, and lost work pursuing justice in court. Even the mere presence of such serious allegations should throw into question whether the United States should blindly accept the misdemeanor verdict passed against Mr. Chaudhry in Australia; yet a Yakima judge (who attended church with Mr. Chaudhry – ending up on the other side of a contentious schism in the church – who, due to this and other substantive community contact, should have recused himself entirely) **did just that**. And now that rubber-stamped acceptance, in a case riddled with its own fatal flaws and corruption, is being used against Mr. Chaudhry as he seeks the citizenship to which he is duly entitled and statutorily qualified, in the country he has served with blood and bone and heart and spirit for more than twenty years.

Given the demonstrated proof that ICE lawyers will lie to their own country, violate due process and the constitutional rights of immigrants, and cheat to win, and that our judges are predisposed to believe them, let us not allow the miscarriage of justice to continue through our failure to take a thoughtful, clear-eyed, honest look at the case – and the people - before us.

EXHIBIT A2

April 20, 2016

USCIS Seattle, WA Professional Responsibility

This article is also reported in LexisNexis Legal News Room, dated April 21, 2016

ICE attorney sentenced to prison for falsifying document in immigration case

Document interfered with immigrant's status in US

SEATTLE – A former attorney for U.S. Immigration and Customs Enforcement (ICE) who used a falsified document in an immigration proceeding, was sentenced Wednesday in federal court to 30 days in prison, 100 hours of community service, one year of supervised release, and a 10-year ban on practicing law.

Jonathan M. Love, 58, pleaded guilty in January 2016 to deprivation of constitutional rights under color of law. At Wednesday's sentencing **Magistrate Judge Brian A. Tsuchida** said, "**This is a very sad day...for no good reason you did great harm to this victim.**

The charges are the result of a probe by ICE's Office of Professional Responsibility (OPR). The case was prosecuted by Assistant U.S. Attorney Matthew Diggs for the Western District of Washington.

"This sentence should serve as a sobering reminder about the serious consequences awaiting those who violate the public's trust," said Shawn Fallah, resident agent in charge for ICE OPR in Seattle. **"ICE's Office of Professional Responsibility spearheaded this investigation and we'll continue to hold our employees to the highest standards of professional conduct. Guarding against illegal or unethical behavior is not an option; it is an obligation we have to the people we serve."**

According to records filed in the case, in May 2009, Love represented to an immigration judge that a particular immigration form had been signed by a person facing deportation in 2000. The evidence indicates that between July 2008 and May 2009, the form was fabricated and altered by Love to appear as though it had been signed in 2000, when in fact it had been signed in 2008.

The falsified form impacted the person facing deportation by foreclosing a particular form of relief from deportation. When a new attorney noted the irregularities in the form, the case was reopened and the deportation was stayed. The person facing deportation was granted lawful permanent resident status in 2014.

The plea agreement calls for Love to resign from any bar associations of which he is a member, and prohibits his re-application for 10 years. Prosecutors argued the ban was appropriate noting that defendants in immigration court have a "right to proceedings free from false and fabricated

Chaudhry, Muhammad Zahid
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A#078490278

July 19, 2022

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Jonathan Love USCIS Article

More Victims ?, including applicant Chaudhry, whom Love paid intense,
personal involvement in hearings ?

EXHIBIT A 2

evidence knowingly presented against them. When that right is denied, **a real harm is inflicted both on society, which loses faith that its government plays fair, and the individual who suffers directly.**"

Love has agreed to pay \$12,000 in restitution to the victim for the legal fees spent battling for legal status.

Note: Immigration victim was deprived of CONSTITUTIONAL RIGHTS Under Color of Law.

ICE's Deputy Chief attorney, Jonathan Love, personally involved himself into applicant Chaudhry's hearings/case. Either ICE's attorney pool was so low that they had to pull a deputy chief attorney down to that level of involvement in a hearing/case (highly unusual); OR, more likely there was a particular purpose that Jonathan Love personally became involved in applicant Chaudhry's hearings/case. Given the time overlap of the Lanuza case and Chaudhry case, it is highly likely that Jonathan Love wasn't content to wreck havoc in only one immigration victim's life, but more than one.

The amount of time, energy, (Tax-payers' funded) expense that USCIS and ICE have wasted on applicant Chaudhry boggles the mind. Millions of dollars alone, not included in the cost of time, have been wasted in the decades-long witch hunts against Chaudhry.

Despite all this, and the fact that Love was finally investigated in the Lanuza case (long after Lanuza had exposed the fraud), Love's 'sentence' was merely a slap on the wrist – ONLY BECAUSE HE WAS A GOVERNMENT AGENCY EMPLOYEE. One does not have to look very far to see the results of fraudulent acts if this fraud were not executed by a government agency employee. In addition, the financial costs to the victim far exceed the measly 'restitution' that Love was ordered to pay his victim; and it is very likely that even more additional legal costs were involved and added when Love appealed. Love's appeal would be, again, at the Taxpayers' expense. The victim likely could not afford even more legal financial costs above and beyond what was already heaped on him.

Jonathan Love's license to practice law was only revoked for a mere 10 years. Not only is that a pathetic short time, but in today's revolving door of upward employability, Love would likely immediately be in a better paying, higher status job than he was before. The victim faced many, many years of uncertainty, stress, anxiety, mountains of financial debt, possible loss of job for extended period of time and greatly reduced job opportunities of getting a job, threat of separation from his family, threat of deportation. Jonathan Love lost only 10 years of not practicing law. The scales of equity are severely tipped in Jonathan Love's favor.

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More Victims ?, including applicant Chaudhry, whom Love paid intense,
personal involvement in hearings ?

EXHIBIT A2

Who else are the unknown victims of Jonathan Love; what mountains of debt are they incurring in legal defense, losing jobs opportunities, facing separation from family and deportation ? Muhammad Zahid Chaudhry

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Jonathan Love USCIS Article

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More Victims ?, including applicant Chaudhry, whom Love paid intense,
personal involvement in hearings ?

EXHIBIT A3

The Seattle Times

Former Seattle immigration prosecutor gets 30 days for forging document

By Seattle Times staff

A former prosecutor for U.S. Immigration and Customs Enforcement was sentenced Wednesday to 30 days in prison for forging a document to make it look like a Mexican citizen was not eligible to stay in U.S.

Jonathan Love pleaded guilty in January to the misdemeanor charge of depriving the rights of the Mexican man after reaching a plea agreement with federal prosecutors. Love was an assistant chief counsel for Immigration and Customs Enforcement (ICE) in Seattle before his resignation in January.

In 2008, Love was assigned to the deportation case of Ignacio Lanuza, a Mexican construction worker who was in the U.S. illegally. Lanuza maintained that he was eligible for resident status because he was married to an American citizen and had been in the country for more than 10 consecutive years.

At a hearing in 2009, Love told the immigration judge that Lanuza had signed a waiver when he was stopped at the border in Nogales in 2000, which would have made him ineligible to ask that his removal to Mexico be canceled. Love presented the court with a copy of the waiver, called an I-826 form.

Lanuza said he could not recall signing the form. However, an immigration judge found that Lanuza was not eligible to avoid his removal because he had not been in the U.S. for 10 years continuously.

After Lanuza appealed to the 9th Circuit Court of Appeals, his attorney hired a forensic document examiner and discovered the form was a forgery. He then sought another immigration hearing.

The Board of Immigration Appeals, citing “the seriousness and particularity of the allegations,” found Lanuza had “provided evidence indicating that the [I-826] submitted by the [Department of Homeland Security] may not be a complete and accurate document,” and that it contained “anachronisms and other hallmarks which may suggest document tampering.”

The most obvious evidence that the document was not legitimate was that Homeland Security and ICE had not existed in 2000, and the I-826 form that Love said Lanuza had signed was not in use at that time.

With the form discredited, the board granted Lanuza lawful permanent-residence status.

EXHIBIT A3

Love, 58, acknowledged in January that he forged the document, making it look like Lanuza had left the country around 2000 and did not meet the eligibility requirement.

The plea agreement states that Love can't practice law for 10 years and must pay Lanuza \$12,000 in restitution.

The plea deal calls for a sentence of 30 days in custody followed by a year of supervision and 100 hours of community service. However, a judge will have the final say on his sentence at an April 20 hearing.

ICE officials say Love resigned from the agency in November [2015].

[Information from Seattle Times archives and The Associated Press are included in this story.]

Further information on this story:

The Seattle Times

December 21, 2015

“Document tampering”

At a hearing in May 2009, [Jonathan] Love told the immigration judge that Lanuza had signed a waiver when he was stopped at the border in Nogales in 2000, which would have made him ineligible to ask that his removal to Mexico be canceled. Love presented the court with a copy of the waiver, called an I-826 form.

That form became key to Lanuza’s appeal and Love’s downfall.

Lanuza said he could not recall signing the form. However, an immigration judge in 2010 found that, based on Love’s representation and the form, Lanuza was not eligible to avoid his removal because he had not been in the U.S. for 10 years continuously.

Lanuza appealed, but the Board of Immigration Appeals — again relying on the I-826 form — ordered him removed to Mexico.

In December 2011, Lanuza hired a new attorney, Hilary Han, to represent him in an appeal to the 9th Circuit Court of Appeals. Han, in reviewing the file, “found irregularities” in the I-826 form, according to court pleadings.

Han hired a forensic document examiner and discovered the form was a forgery. He [Lanuza] then returned to the board and sought another hearing.

The board, citing “the seriousness and particularity of the allegations,” found Lanuza had “provided evidence indicating that the [I-826] submitted by the [Department of Homeland

EXHIBIT A3

Security] may not be a complete and accurate document,” and that it contained “anachronisms and other hallmarks which may suggest document tampering.”

The most obvious evidence that the document was not legitimate was that Homeland Security and ICE had not existed in 2000, and the I-826 form that Love said Lanuza had signed was not in use at that time.

With the form discredited, the board granted Lanuza lawful permanent residence status.

Extensive pleadings in Lanuza’s lawsuits show that he has fought an uphill battle in attempting to sue ICE and Love.

Lanuza, they [Northwest Immigrant Rights Project] argued, “suffered through almost five years of unwarranted, expensive, and traumatic immigration proceedings as a result of a crude forgery on the part of Immigration and Customs Enforcement,” which is part of the Department of Homeland Security. In his lawsuit, Lanuza alleges he was the victim of a malicious prosecution and that Love deprived him of his right to due process.

He is asking for \$500,000 in damages.

Pechman, the federal judge, dismissed Love as a defendant in Lanuza’s lawsuit in compliance with 9th Circuit Court of Appeals case law. In her ruling, she challenged the appellate court over its narrow interpretation of a U.S. Supreme Court ruling that sets out when federal agents can be sued for civil-rights violations by noncitizens.

“The court agrees with Mr. Lanuza” that a civil-rights remedy “should be available to him,” she wrote in an order last spring. “Nevertheless, the court finds the Ninth Circuit’s opinion … forecloses such a remedy,” Pechman wrote.

Pechman’s ruling means Love cannot be held civilly liable for what happened to Lanuza.

However, Pechman has allowed Lanuza’s lawsuit to move forward on a broader claim against the government, of malicious prosecution.

In the meantime, Lanuza has filed an appeal with the 9th Circuit, asking the judges to re-examine their previous ruling limiting civil-rights claims by immigrants who are in the country illegally.

The lawsuit is being defended by a lawyer from the U.S. Attorney’s Office in Spokane, because the Seattle office acknowledged the potential for a conflict of interest.

Mike Carter: mcarter@seattletimes.com or 206-464-3706

EXHIBIT B₁

Fox News
Feb 18, 2018

Sanchez) Used a Picture of a Murder Victim as (Driver's) License Photo

SEATTLE – The former chief counsel for U.S. Immigration and Customs Enforcement in Seattle acknowledged in court Thursday that he **stole the identities of people facing immigration proceedings and used them to run up credit card and other bills totaling more than \$190,000.**

Raphael Sanchez, 44, oversaw deportation proceedings in Alaska, Idaho, Oregon and Washington before resigning when charges were filed Monday.

In a plea agreement, he said took personal information from immigration files and then forged identification documents, such as Social Security cards and drivers' licenses, in his victims' names. Sometimes, he said, he used a picture of a murder victim that had appeared in a newspaper as a license photo.

He used the forged IDs to obtain lines of credit, used credit-monitoring services to determine which of his victims had the best credit, and listed three victims as dependents on his income tax returns.

"It is the duty of our federal immigration authorities to ensure the honest enforcement of our nation's immigration laws," Acting Assistant Attorney General John Cronan said in a news release. "Raphael Sanchez betrayed that solemn responsibility and abused his official position to prey upon aliens for his own personal gain."

Sanchez pleaded guilty to wire fraud and aggravated identity theft in U.S. District Court on Thursday. He acknowledged he defrauded financial institutions, including Bank of America and Capital One, and told U.S. Magistrate Judge John L. Weinberg that **his victims were vulnerable due to their immigration status**. His attorney and prosecutors agreed to recommend a four-year prison term when he's sentenced in May.

The Justice Department's Public Integrity Section said that beginning in 2013, Sanchez stole the identities of at least seven people in various stages of immigration proceedings -- and **investigators found the personal information and official documents of 20 others when they searched his home.**

Chaudhry, Muhammad Zahid A#078490278 July 19, 2022
2420 Angela St SE, Lacey, WA 98503 Raphael Sanchez/Jonathan Love Fox News Article 1 of 2
ICE's Chief Attorney and Deputy Chief Attorney both personally involved in Chaudhry hearing/case.
Sanchez stole identities of people in various stages of immigration proceedings.
Personal information/official documents of 20 others found in Sanchez' home.
Including immigrant applicant Chaudhry ?

EXHIBIT B1

Sanchez is the second lawyer in ICE's Seattle office to run into legal trouble in recent years.
Jonathan Love pleaded guilty in 2016 to a charge that he forged documents in an effort to deprive an immigrant of the legal permanent resident status to which he was entitled.

The latest case drew condemnation from immigrant rights advocates.

"The prosecution of ICE Chief Counsel Raphael Sanchez underscores the perception that ICE is a rogue agency," Rich Stoltz, executive director of the immigrant rights group OneAmerica, said in a written statement.

"When law enforcement officials are the ones being investigated for crimes they have committed, and when long-time community members are being torn from their families due to unauthorized status alone, **one must ask whether any increased investment in immigration enforcement makes sense for the nation, or for ICE, an agency that still needs to get its own affairs in order.**"

In a news release, ICE Deputy Director Thomas Homan said he was "appalled by these egregious, independent acts of criminal misconduct by Mr. Sanchez."

Chaudhry, Muhammad Zahid A#078490278 July 19, 2022
2420 Angela St SE, Lacey, WA 98503 Raphael Sanchez/Jonathan Love Fox News Article 2 of 2
ICE's Chief Attorney and Deputy Chief Attorney both personally involved in Chaudhry hearing/case.
Sanchez stole identities of people in various stages of immigration proceedings.
Personal information/official documents of 20 others found in Sanchez' home.
Including immigrant applicant Chaudhry ?

EXHIBIT B2

Raphael A. Sanchez, who was chief counsel at the U.S. Immigration and Customs Enforcement office in Seattle when he opened credit cards and took out loans using the personal information of vulnerable immigrants, has been sentenced to four years in prison.

NPR
June 2018

He took a plea deal with the Justice Department, which was approved by a judge on Thursday. He has also been ordered to pay more than \$190,000 in restitution.

Sanchez — whose responsibilities included overseeing immigration removal cases in several states — stole and exploited the identities of people who prosecutors say were "particularly vulnerable given their status as deported or otherwise excludable."

He also misreported his earnings in his IRS filings. And, the Justice Department said, Sanchez "claimed three aliens as relative dependents on his tax returns for 2014 through 2016."

Sanchez, 44, pleaded guilty in February to one count of wire fraud and one count of aggravated identity theft. As part of his plea, he also signed a statement of fact acknowledging his actions.

That plea came just days after Sanchez resigned in the face of the charges against him.

In immigration cases, "government lawyers often point out how unauthorized immigrants use fake Social Security numbers to get jobs," as KUOW has reported. The member station says people who worked with Sanchez were shocked by his behavior.

The scheme went on for four years, from 2013 to 2017, prosecutors say. When his career came to a shocking halt, Sanchez was making \$162,000 at his ICE job; his total net worth was estimated at more than \$700,000, the government said.

Sanchez opened bank accounts, utility service accounts and email accounts under immigrants' names — filling applications with the names, dates of birth, Social Security numbers and other data that he took from ICE computers and files, according to the government.

He also used his work computer to create counterfeit documents, such as Washington state drivers' licenses.

"Sanchez affixed his own photograph onto the forged identification documents using the information of male Victim Aliens," the Justice Department said in a court filing earlier this month, in which it asked a judge to impose the four-year prison term. "To forge female Victim Aliens' identifications, Sanchez was even more brazen: he used the photograph of a murdered woman published in press accounts and the names of female Victim Aliens."

EXHIBIT B2

Once the stolen identities were established, Sanchez used them to open lines of credit, write to credit bureaus and transfer funds to his own accounts. In some cases, he bought items for himself using credit cards bearing the names of people his office had either deported or was considering deporting.

His victims were "numerous," the Justice Department said in the court filing. The government listed seven people as examples in the case, identifying them only by their initials.

Sanchez brought in nearly \$200,000 from the scheme, the government said. It added, "Meanwhile, many of the Victim Aliens left the United States unaware of the debts that Sanchez incurred in their names and that these substantial balances were due, owing, and growing."

The fraud was complex, involving a corporation and bogus sales between commercial enterprises. From the Justice filing:

"Sanchez used a corporation named 'Royal Weddings,' an Amazon Marketplace account, and businesses operating under various trade names, including 'Cool and Quirky Cars,' and 'Integral USA,' to transfer fraudulent proceeds from accounts in the names of the Victim Aliens to his own personal accounts. Sanchez, acting as both merchant and customer, made charges or drew payments in the names of Victim Aliens to himself or to entities that he controlled. Sanchez used mobile payment services such as Square to process the transactions, making it appear as if the Victim Aliens were merely making purchases and to avoid detection."

Discussing what he called a duty to honestly enforce the law, Acting Assistant Attorney General John Cronan said, "Raphael Sanchez betrayed that solemn responsibility and abused his official position to prey upon aliens for his own personal gain."

Cronan also commended ICE for "quickly and fully investigating this matter and referring it to the Justice Department for prosecution."

EXHIBIT B3**Seattle PI****Top Seattle ICE attorney admits to defrauding immigrants****Disgraced lawyer likely faces 4-year prison term for identity thefts**

Levi Pulkkinen, SeattlePI

Feb 15, 2018

- Seattle's leading U.S. Immigration and Customs Enforcement attorney admitted Thursday to using immigrants' identities to open credit cards during a guilty plea to federal fraud charges.

ICE Chief Counsel Raphael Sanchez used the fraudulently obtained credit accounts to defraud the creditors. The scheme ran for four years before it was discovered last fall.

Sanchez stole the identities of seven people involved in immigration proceedings. Federal prosecutors say Sanchez used fraudulently obtained credit cards to steal from American Express, Bank of America, Capital One, Citibank, Discover and JPMorgan Chase.

Sanchez resigned Monday, the day he was charged. He served as chief counsel in the agency's Seattle office.

In a statement following Thursday's guilty plea, Sanchez's defense attorney Cassandra Stamm said "Mr. Sanchez looks forward to fully repaying all those affected by his crimes." "In short, Mr. Sanchez does not offer excuses for his acts; rather, he simply provides his sincere and immense regret."

Sanchez was charged with wire fraud and aggravated identity theft. He pleaded guilty to both counts, and will likely face a four-year prison term.

"Raphael Sanchez betrayed that solemn responsibility and abused his official position to prey upon aliens for his own personal gain," acting Assistant Attorney General Cronan said in a statement.

Sanchez made charges or drew payments totaling more than \$190,000 in immigrants' names, often using PayPal and mobile point of sale devices from Amazon, Square, Venmo and Coin to process fraudulent Internet transactions. Sanchez shopped online in the names of aliens and had them shipped to his residence. He also claimed three aliens as relative dependents on his tax returns for 2014 through 2016.

EXHIBIT B3

Investigators recovered an email sent from Sanchez's Department of Homeland Security account in which he paid a Puget Sound Energy bill using information from a Chinese national's United States permanent resident card.

"Sanchez devised and intended to devise a scheme ... using the personally identifying information of seven aliens in various stages of immigration proceedings with the United States Immigrant and Customs Enforcement to obtain money and property by means of materially false and fraudulent pretenses," Assistant U.S. Attorneys Luke Case and Jessica Harvey said in court papers.

U.S. Rep. Pramila Jayapal, D-Seattle, called for Congress to strengthen oversight of the Homeland Security Department, which includes ICE. Jayapal argued the Homeland Security budget has "ballooned with billions of dollars and little oversight."

"These actions by Sanchez are outrageous and alarming," Jayapal said in a statement. "They continue a long line of reported ICE abuses reported by community members, attorneys and watchdog groups. They all show the clear need for accountability and transparency at ICE. ...

"We cannot sit on the sidelines and allow this to continue."

Prosecutors and Sanchez have agreed to recommend a four-year prison term to U.S. District Judge Robert Lasnik, who is expected to sentence Sanchez later this year. Sanchez was jailed following Thursday's hearing.

SeattlePI senior editor Levi Pulkkinen can be reached at 206-448-8348 or levipulkkinen@seattlepi.com.

EXHIBIT B4

Former ICE Chief Counsel Gets 4 Years In Prison For Stealing Immigrants' Identities

• June 28, 2018 10:16 AM ET
Bill Chappell



A former top attorney at ICE in Washington state has pleaded guilty to stealing the personal information of immigrants who were at risk of deportation and using the data to defraud banks. Here, protesters stand outside the ICE office in Seattle during a demonstration in May.

Lindsey Wasson/Reuters
Updated at 4:30 p.m. ET

Raphael A. Sanchez, who was chief counsel at the U.S. Immigration and Customs Enforcement office in Seattle **when he opened credit cards and took out loans using the personal information of vulnerable immigrants**, has been sentenced to four years in prison.

He took a plea deal with the Justice Department, which was approved by a judge on Thursday. He has also been ordered to pay more than \$190,000 in restitution.

Sanchez — whose responsibilities included overseeing immigration removal cases in several states — stole and exploited the identities of people who prosecutors say were "particularly vulnerable given their status as deported or otherwise excludable."

He also misreported his earnings in his IRS filings. And, the Justice Department said, **Sanchez "claimed three aliens as relative dependents on his tax returns for 2014 through 2016."**

Sanchez, 44, pleaded guilty in February to one count of wire fraud and one count of aggravated identity theft. As part of his plea, he also signed a statement of fact acknowledging his actions.

That plea came just days after Sanchez resigned in the face of the charges against him.

EXHIBIT B4

In immigration cases, "government lawyers often point out how unauthorized immigrants use fake Social Security numbers to get jobs," as KUOW has reported. The member station says people who worked with Sanchez were shocked by his behavior.

The scheme went on for four years, from 2013 to 2017, prosecutors say. When his career came to a shocking halt, Sanchez was making \$162,000 at his ICE job; his total net worth was estimated at more than \$700,000, the government said.

Sanchez opened bank accounts, utility service accounts and email accounts under immigrants' names — filling applications with the names, dates of birth, Social Security numbers and other data that he took from ICE computers and files, according to the government.

He also used his work computer to create counterfeit documents, such as Washington state drivers' licenses.

"Sanchez affixed his own photograph onto the forged identification documents using the information of male Victim Aliens," the Justice Department said in a court filing earlier this month, in which it asked a judge to impose the four-year prison term. "To forge female Victim Aliens' identifications, Sanchez was even more brazen: he used the photograph of a murdered woman published in press accounts and the names of female Victim Aliens."

Once the stolen identities were established, Sanchez used them to open lines of credit, write to credit bureaus and transfer funds to his own accounts. In some cases, he bought items for himself using credit cards bearing the names of people his office had either deported or was considering deporting.

His victims were "numerous," the Justice Department said in the court filing. The government listed seven people as examples in the case, identifying them only by their initials.

Sanchez brought in nearly \$200,000 from the scheme, the government said. It added, "Meanwhile, many of the Victim Aliens left the United States unaware of the debts that Sanchez incurred in their names and that these substantial balances were due, owing, and growing."

The fraud was complex, involving a corporation and bogus sales between commercial enterprises.

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"Sanchez used a corporation named 'Royal Weddings,' an Amazon Marketplace account, and businesses operating under various trade names, including 'Cool and Quirky Cars,' and 'Integral USA,' to transfer fraudulent proceeds from accounts in the names of the Victim Aliens to his own personal accounts. Sanchez, acting as both merchant and customer, made charges or drew payments in the names of Victim Aliens to himself or to entities that he controlled. Sanchez used mobile payment services such as Square to process the transactions, making it appear as if the Victim Aliens were merely making purchases and to avoid detection."

Discussing what he called a duty to honestly enforce the law, Acting Assistant Attorney General John Cronan said, "Raphael Sanchez betrayed that solemn responsibility and abused his official position to prey upon aliens for his own personal gain."

Cronan also commended ICE for "quickly and fully investigating this matter and referring it to the Justice Department for prosecution."

Key Figure in Ramos Case Accused of Disparaging Hispanics, Japanese – Yakima lieutenant allegedly made comments to private citizens; city hires outside

Yakima Herald Republic
September 16, 2002

By WES NELSON

The city of Yakima will bring in an outside agency to investigate allegations that a police supervisor made derogatory remarks in public about minorities.

The Washington State Patrol has agreed to head an investigation that stems from the city's recent agreement to settle former police officer Tony Ramos' federal discrimination lawsuit against the Yakima Police Department.

Ramos and the city formally settled the case on Aug. 16.

Ramos and his attorney, Cliff Freed, turned sworn statements over to the city following mediation that led to the \$90,000 settlement, City Manager Dick Zais said.

The statements, made by former Starbucks employees Nolan Christensen and Roblay Kirkevold, allege that Lt. Gary Belles, a 19-year department veteran, referred to Hispanics as "wetbacks" and "beaners" and once expressed a view that more Japanese should have been killed in World War II. The sworn statements were a factor in the city's decision to settle Ramos' lawsuit, Zais said. But, the city manager added, they were not the "main focus" of the decision to settle.

The city, in defending its decision to settle with Ramos, cited concern over legal costs that would mount, perhaps by \$200,000, had the case gone to trial. The city estimates it has spent \$350,000 addressing Ramos' allegations.

Zaid said Police chief don Blesio's recent retirement also was a factor. A trial would have pulled Blesio away from family commitments. The investigation also could delve into information include in a sworn statement that Ramos gave to attorneys representing the city.

The final scope of the investigation will be determined later what a State Patrol investigator meets with the city, Zais said. That could occur within a few weeks.

"It'll be up to them to decide what other aspects of the case to consider," Zais said.

Ramos, who is Hispanic, sued the city last year in U.S. District Court, alleging his December 1999 firing over disobeying an order to wear a protective vest was tied to discrimination. He also alleged he faced a hostile work environment during his six-year career.

Belles, a non-Hispanic white, conducted Ramos' internal investigation over the vest issue and recommended Blesio fire him. Belles was a central figure in the lawsuit, according to court documents.

The settlement followed district Judge Fred Van Sickle's recommendation that both sides enter

mediation. The settlement agreement stipulates that Zais only “review and consider” the Starbucks employees’ sworn statements, but Zais said he believes the matter should be investigated.

“This is a matter that needs to be taken seriously and objectively,” Zais said. “In this case I want to have a separate law enforcement agency investigate.”

According to the statements, Belles was a regular customer at the Chalet Mall Starbucks store, visiting both while in uniform and in off-duty street clothes and often striking up conversations with employees and other customers.

In one conversation Christensen estimates occurred in the fall 1998, Christensen told Belles he was planning a trip to California’s Napa Valley.

Belles “warned me not to go to Southern California because it is a ‘cesspool’ there,” according to Christensen, who worked at the store for 2 ½ years.

Belles talked about a trip he had taken to Disneyland with his family, complaining about Japanese tourists and how some had bumped into his children, forcing Belles to “push them (the tourists) out of the way,” according to Christensen’s statement.

“Then Belles made a comment to the effect that he wished that more Japanese had been killed in Nagasaki or Hiroshima during the war,” Christensen said. “I was completely shocked by Lt. Belles’ comment.”

Christensen is half Japanese.

In her statement, Kirkevold alleged she heard Belles refer to Hispanics as “wetbacks and beaners while he was in our store.”

Kirkevold estimated she saw Belles eight to 10 times while she worked at the store for nine months in 1997.

“I was appalled that a police officer would use such language,” according to her statement.

Belles, in an interview with the Herald-Republic last fall, denied ever referring to Hispanics as wetbacks and beaners but did acknowledge he made a comment “in jest” about the bombing of Japanese during World War II.

“I did make a comment along those lines,” he said. “I think what I said was, ‘They probably should have done more bombing.’ It was meant in jest, but it was a bad jest. Have you ever heard someone say, ‘I could just kill him’? Is there any intent there? No. Do I wish I could take that comment back? Sure, I do,” he said.

Belles could not be reached for comment last week on the city’s decision to investigate the matter.

Freed, Ramos’ attorney, said the information from the Starbucks employees is difficult to ignore. “The testimony of these two people was potentially damaging” had the case gone to trial,” he said. “It shows the person who was investigating Tony’s case as somebody who is clearly biased against minorities, and that could have been a problem for them.”

The city's decision to look into the matter marks the second time it has investigated allegations that Belles made derogatory remarks about minorities. But a report the city released in early 2001 determined that allegations Ramos and other officers made during Ramos' unsuccessful appeal of this firing to the Yakima Police and Fire Civil Service Commission were unfounded.

The city in late 2000 hired former King County Civil Prosecutor Richard Holmquist to investigate alleged racist comments attributed to Belles as well as accusations involving ranking officers' drinking alcohol on city property and watching a homemade pornographic videotape at the police station.

Holmquist, who represented King County for nearly 20 years, determined the incidents "more likely than not" did not occur. The inquiry cost the city \$37,000.

Ramos and his attorney, **noting that Holmquist didn't interview Ramos**, criticized the inquiry as shallow. The allegation of racist statements largely formed the basis for Ramos' hostile work environment claim, according to federal court records.

Ramos' complaints about Belles were cited by Judge Van Sickly Feb. 25 in granting a motion that resurrected Ramos' claim that he faced a hostile work environment in the police department, according to court documents.

"These statements clearly evidence racial animus on Belles' part," Van Sickle said in his ruling. "(Ramos) has demonstrated animus toward Hispanics by a decision maker." Van Sickle, however, remained firm on an earlier ruling that dismissed Ramos' claim that racial discrimination played a role in Blesio's decision to fire him. Blesio fired Ramos after taking into account both Belles' recommendation and Ramos' prior 20-day suspension that stemmed from an off-duty altercation with a Washington State Patrol officer in 1998.

Note: Yakima City had already investigated Belles for allegations of derogatory remarks against minorities. Belles was investigator and supervisor of Ramos' matter – difficult to ignore, as noted by Ramos' attorney Cliff Freed.

Like Ramos, Chaudhry is a person of color. Like Ramos' case, Belles conducted investigation for Chaudhry's 2001 volunteer police application and would have been his supervisor – difficult to ignore the implications.

Belles also played a 'key role' as ICE's "star witness" in hearings/case against Chaudhry. Belles had already determined he would not hire Chaudhry as an un-paid police volunteer; yet, he admitted in a deposition (~2010) he 'played a ruse' to bring Chaudhry back in for more questioning months after deciding not to hire Chaudhry.

Washington State Patrol was brought in to investigate Ramos' lawsuit against the Yakima Police Department – the very same WSP agency who Ramos was cited as having an off-duty altercation with.

Was the fox guarding the hen house in these situations? Was Belles the nefarious maker of the check mark that had been left blank on Chaudhry's police application form when it was submitted ?, when a forensic handwriting expert determined that Chaudhry was not the maker of the mark ?

EXHIBIT C2

Hispanic Group Still Pushing City to Take Action Against Police Supervisor for Disparaging Remarks

Wes Nelson – Yakima Herald-Republic
March 14, 2003

The city (of Yakima) has so far received just seven applications to serve on a committee criticized by some as falling short of what was proposed in an inquiry panel's recommendation more than two years ago.

While [it appears] there's little interest in the committee, a key Hispanic organization is pressuring the city to take action against a Yakima police supervisor accused of making derogatory remarks about minorities [Hispanics and Japanese, in particular] in public. (See Yakima Herald-Republic article "Key Figure in Ramos Case Accused of Disparaging Hispanics, Japanese..." attached.)

But the city says it's still waiting for an investigation to be completed.

The creation of a citizens advisory committee also is up in the air.

The Yakima City Council more than two years ago assembled a panel led by Yakima attorney Joe Falk Jr., after former Yakima police officer Tony Ramos complained about discrimination to the state Commission on Hispanic Affairs.

The panel recommended the city take several actions, including the creation of a citizens committee to independently review complaints about officer misbehavior, particularly racial profiling during traffic stops.¹

The City Council last year, however, decided a committee would not review complaints from citizens.²

But those who have applied so far for the committee's seven positions do not reflect the racial and ethnic makeup of the community, Mayor Mary Place said Thursday.

A lack of Hispanics is a key concern. That is not what I envisioned this to be," she said. "I don't have the proper mix."

Seven citizens would serve with two police officers, Lt. Mike Merryman and Sgt. Joe Salinas, who have been selected by the police department.

[Mary] Place says she's asked state Hispanic Affairs Commission Executive Director Antonio Ginatta to help the city find Hispanic applicants. [Mary] Place believes the committee can be effective, even though it can't review complaints about officers.

1 One could anticipate that these complaints would likely be from citizens; perhaps some from within the department.

2 What, then, would be the point of having a citizens' review committee if its hands were tied from the get-go?

Exhibit C2

Its role in building relationships between all residents is just as important, [Mary] Place said. “I think that’s a shame because I think this committee can do great things for us,” [Mary] Place said.

Hispanic Chamber of Commerce Wants Another Type of Action

The Hispanic Chamber of Commerce wants another type of action – disciplinary action against a police supervisor accused last year by former Starbucks employees of referring to Hispanics as “wetbacks” and “beaners” and of suggesting more Japanese should have been killed in World War II.

“We are concerned that it appears the city of Yakima is dragging its feet and (is) not very concerned about the negative perception that continues to grow because of these types of non-actions against police department officials,” Chamber president Velma Perez wrote in a Feb. 17 letter to the City Council.

But [Mary] Place said the city is still waiting to hear from the Washington State Patrol on follow-up interviews with people who may be witnesses. “If a decision needs to be made, we need all the information possible,” she said.

The city decided to investigate Lt. Gary Belles when Ramos and his attorney, Cliff Freed, turned sworn statements over to the city following mediation that led to a \$90,000 settlement of a federal discrimination lawsuit Ramos filed against the city.

Note:

Hispanic Chamber of Commerce stated “...it appears the city of Yakima is dragging its feet...”

So too, when applicant Chaudhry’s attorney attempted to get documents from City of Yakima on Chaudhry’s volunteer police application. The city made many excuses (“dragging its feet”) about why they couldn’t seem to produce the very document with a confusing citizenship question/statement, upon which government agencies (USCIS/ICE) claimed Chaudhry had indicated he was a U.S. citizen. Chaudhry had left the confusing question unmarked. However, when City of Yakima eventually produced the documents they originally claimed they did not have, the confusing application question was marked differently than all the other boxes in the application.

A Forensic Handwriting Expert testified, Chaudhry was not the ‘maker of the mark’. And as Chaudhry’s attorney stated, even if Chaudhry had made an affirmative mark (which it was clear he had not), the question was such that it did not ask if the applicant was a citizen.

Lt. Gary Belles, in a sworn deposition, said he had decided not to hire Chaudhry for the unpaid, volunteer position; YET months later, brought Chaudhry back in a “ruse” deception – never planning to ever hire Chaudhry.

USCIS and ICE hinged their entire case on this single volunteer application mark. They held Belles up as their “star witness”; promised immigration judge that they could guarantee that it really would be Belles testifying by phone; however, there is one immigration judge that nixed that plan (long before court hearings began to be conducted via visual “Zoom”).

EXHIBIT C2

USCIS and ICE had to stretch their long arms over thousands & thousands of miles of land and seas to find a minor infraction on record in Australia from the 1990s that resulted in a suspended judgment and no punishment, in a situation in which Mr. Chaudhry himself was the only victim.

According to US immigration policies, such a foreign misdemeanor charge should be entirely inadmissible after **five years**, however, it's been *twenty-five years*. Even so – if the United States of America faces this much corruption and dishonesty (Mr. Sanchez, Mr. Love, Mr. Belles, and courts rubber-stamping and propagating the lies told by those in power & lofty positions hold) in its own court & agency systems, would it be surprising if Australia's legal system harbored similar flaws?

Applicant Chaudhry adamantly asserts that he faced racial prejudice in Australia and also in Australia's courts, including receiving no justice for repeated fare evasions and violent assaults. There were blatant violations of justice wherein those of his taxi passengers refused to pay their fare and beat him bloody – different people, all white, on multiple occasions – were let off scot-free, while he suffered serious injuries, lost his rightful pay, and lost work pursuing justice in court.

Even the mere presence of such serious allegations should throw into question whether the United States should blindly accept the misdemeanor verdict passed against Mr. Chaudhry in Australia; yet a Yakima judge (who attended church with Mr. Chaudhry – ending up on the other side of a contentious schism in the church – who, due to this and other substantive community contact, should have recused himself entirely) **did just that**.

And now that rubber-stamped acceptance, in a case riddled with its own fatal flaws and corruption, is being used against Mr. Chaudhry as he seeks the citizenship to which he is duly entitled and statutorily qualified, in the country he has served with Honor, blood, bone, heart and spirit for more than twenty years.

The Hispanic Chamber of Commerce is not the only ones still demanding a proper disciplinary action accounting of the unethical, racial slurs attributed to Gary Belles – even these many years later.

What “ruse” did Mr. Belles pull over the City of Yakima and various levels of courts across this state?

The volunteer application form for Yakima Police Department with the confusing question/state-ment is no longer the same as it was in 2001 when Chaudhry wanted to volunteer...un-paid... desiring to serve the country he chose as his own, the country he loves as his own.

The very same country that governmental agencies so desperately ache to deport him from that they will do anything to see it done... lies, forgery, theft, fraud, ruses, document tampering, betraying solemn responsibility and abusing official positions to prey upon the vulnerable, those less fortunate; the immigrant, persons of color, and other egregious acts of criminal conduct and a profane and profound violation of the trust of the American public.

“...there is no categorical bar to obtaining damages for constitutional violations that occur in removal proceedings.” Court of Appeals